



Entered on Docket  
August 24, 2011

A handwritten signature in black ink, appearing to read "R. B."

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE  
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Eighth Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Whole or In Part Upon  
Investment In The Placer I Loan**

Hearing Date: July 26, 2011  
Hearing Time: 1:30 p.m.

The Court having considered the "Eighth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Placer I Loan." ("Placer I Loan") [DE 8447] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Placer I Loan; and good cause appearing:

1           **IT IS ORDERED** that:

- 2           1. The Objection [DE 8447] is sustained; and  
3           2. The claims listed on **Exhibit A** attached are disallowed to the extent those  
4 claims are based upon an investment in the Placer I Loan.

5  
6 PREPARED AND RESPECTFULLY SUBMITTED BY:

7           **LEWIS AND ROCA LLP**

8  
9 By /s/ John Hinderaker (AZ #018024)

10           Robert M. Charles, Jr.

11           John Hinderaker (*pro hac vice*)

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17           *Attorneys for USACM Liquidating Trust*

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## **LOCAL RULE 9021 CERTIFICATION**

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

xxx No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

**Submitted by:**

LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)

Attorneys for USACM Liquidating Trust

# # #

**Placer Vineyards I  
Multiple Loans**

<b>Claim</b>	<b>Date Claim Was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Amount of Claim That Relates to an Investment In the Placer Vineyards I</b>
10725-02143	1/11/2007	Freedus, Michael	2535 Lake Rd Delanson, NY 12053	711,624.20	50,000.00
10725-01231	11/9/2006	Fuller, David & Monica	955 Mullen Henderson, NV 89044	215,404.36	60,000.00
10725-02277	1/12/2007	Gale Gladstone-Katz Revocable Trust	Jan Logan, Trustee 8405 Mill Station Road Sebastopol, CA 95472	1,354,118.10	75,000.00
10725-01994	1/10/2007	Gilbert Jr, Elmer Eugene	81590 Chenel Rd Folsom, LA 70437-5414	455,240.56	50,000.00
10725-01914	1/10/2007	Gilbert Manuel Living Trust Dtd 1/3/92	C/O Gilbert Manuel Tee 4617 Constitution Ave Ne Albuquerque, NM 87110	486,748.60	50,000.00
10725-01541	12/7/2006	Graham Family Trust Dtd 10/26/78	Robin B & Celia Allen Graham Ttees 1460 Twinridge Rd Santa Barbara, CA 93111-1223	503,808.00	25,000.00
10725-02286	1/12/2007	Handal, John A M	3575 Siskiyou Ct Hayward, CA 94542	1,422,945.46	50,000.00
10725-01915	1/10/2007	Hausler Jr Living Trusr Dtd 1/3/92, Edwin L	C/O Edwin L Hausler Tee 4617 Constitution Ave Ne Albuquerque, NM 87110	486,748.60	50,000.00
10725-02407	1/17/2007	Hein, Dennis E & Meyer, Don D Jtwros	Don D Meyer 3425 E Russell Rd Unit 247 Las Vegas, NV 89120	126,590.00	50,000.00
10725-02292	1/12/2007	Helms Homes Llc	Terry Helms 809 Upland Blvd Las Vegas, NV 89107-3719	12,697,934.44	200,000.00

**EXHIBIT A**

2400188.1